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UBER TECHNOLOGIES, INC.  
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,  
19 Plaintiff,  
20 v.  
21 UBER TECHNOLOGIES, INC.,  
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,  
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE  
YANG IN SUPPORT OF  
DEFENDANTS' ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL  
PORTIONS OF THEIR RESPONSE  
TO WAYMO'S SUPPLEMENTAL  
BRIEF REGARDING HASLIM  
TESTIMONY, AND SUPPORTING  
EXHIBITS THERETO**

Trial Date: October 2, 2017

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this  
3 declaration based upon matters within my own personal knowledge and if called as a witness, I  
4 could and would competently testify to the matters set forth herein. I make this declaration in  
5 support of Defendants' Administrative Motion to File Under Seal Portions of Their Response to  
6 Waymo's Supplemental Brief Regarding Haslim Testimony, and Supporting Exhibits Thereto.

7 2. Some of the highlighted portions of Defendants' Response to Waymo's  
8 Supplemental Brief Regarding Haslim Testimony ("Response"), as well as Exhibits 1, 3, and 5 to  
9 the Declaration of Michelle Yang in Support of Defendants' Response ("Yang Declaration"),  
10 discuss Uber's proprietary and highly confidential designs for Uber's custom LiDAR system.  
11 These portions are highlighted in blue. If such information were made public, I understand  
12 Uber's competitive standing could be significantly harmed. Some portions Defendants' Response  
13 and Exhibit 1 contain Uber's confidential and sensitive business organization information, and if  
14 this information were made public, I understand that Uber's competitive standing could be  
15 significantly harmed. These portions are also highlighted in blue.

16 3. The entireties of Exhibits 4 and 6 to the Yang Declaration likewise contain Uber's  
17 proprietary and highly confidential information for Uber's custom LiDAR design. Exhibit 4  
18 contains diagrams of Uber's custom LiDAR design with highly confidential, proprietary technical  
19 information. Exhibit 6 is the testimony of an Uber engineer.

20 4. I understand that this proprietary technical information is maintained as  
21 confidential by Uber and is valuable to Uber's business. The public disclosure of this information  
22 would give Uber's competitors access to in-depth descriptions and analysis of Uber's custom  
23 LiDAR design. The design of Uber's custom LiDAR system is highly confidential, proprietary  
24 information which, if made public, would cause Uber irreparable harm in this very competitive  
25 space of autonomous driving.

26 5. Exhibits 3 and 5 also contain highly confidential information about a third party  
27 vendor for Uber's LiDAR, which is also the subject of a non-disclosure agreement. Defendants  
28 are contractually bound to maintain the confidentiality of this third party's confidential

1 information. If this information were to be released to the public, Defendants' competitors would  
2 have access to detailed information about Defendants' LiDAR design work, and Defendants'  
3 competitive standing could significantly be harmed.

4 6. Some of the highlighted portions of the Response, as well as Exhibits 1, 2, and 5  
5 have been designated by Waymo as either confidential or highly confidential. Waymo's  
6 designations are highlighted in green in the unredacted copies of the declarations and exhibits.

7 7. Uber's request to seal is narrowly tailored to those portions of the Response and its  
8 supporting papers that merit sealing.

9 I declare under penalty of perjury under the laws of the United States that the foregoing is  
10 true and correct. Executed this 9th day of May, 2017, in San Francisco, California.

11  
12 /s/ Michelle Yang

Michelle Yang

13  
14 **ATTESTATION OF E-FILED SIGNATURE**

15 I, Michael A. Jacobs, am the ECF User whose ID and password are being used to file this  
16 Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has  
17 concurred in this filing.

18 Dated: May 9, 2017

19 /s/ Michael A. Jacobs

Michael A. Jacobs